



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

AUG 27 1997

Jim Morrison
Rangeland Health Coordinator
ATTN: Rangeland DEIS
Bureau of Land Management
California State Office
2135 Butano Drive
Sacramento, CA. 95825

Dear Jim Morrison:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the project entitled **Rangeland Health Standards and Guidelines for California and Northwestern Nevada**. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

In 1993, the Bureau of Land Management (BLM) initiated an effort, known as "Rangeland Reform 94," to better enhance the environmental health of public rangelands. As a result of the "Rangeland Reform 94" effort, the Secretary of the Interior issued a final rule for Grazing Administration, on February 22, 1995, that became effective August 21, 1995. Section 4180.2 of this rule requires the BLM State Directors to develop state or regional standards and guidelines (S&Gs) for grazing administration in consultation with BLM Resource Advisory Councils (RACs), other agencies, and the public. This EIS evaluates the S&Gs developed for grazing administration on public lands managed by the California State Office of BLM, exclusive of the California Desert District, and to incorporate these S&Gs into existing land use plans. The proposed standards and guidelines are designed to provide a framework in which BLM and its stakeholders can cooperate to achieve a balance of sustainable development and multiple use, and help progress toward maintaining or attaining healthy, properly functioning rangelands.

The EIS describes and evaluates four alternatives:

Alternative 1, Proposed Action - Standards and Guidelines proposed by the Bakersfield, Ukiah, and Susanville Resource Advisory Councils. Each RAC developed and recommended S&Gs for the specific BLM Resource Areas under their jurisdiction. Implementation would take place over 15 years.

Alternative 2 - State-Wide Consistency/Consolidated Standards and Guidelines. Standards to be applied state-wide are proposed for soils, riparian and wetland areas, species habitat, and water quality. The guidelines and preambles identified by each

DEIS as category EC-2, Environmental Concerns - Insufficient Information (see attached "Summary of the EPA Rating System"). We believe changes to the proposed action or selection of an alternative which uniformly and more aggressively addresses all rangeland health criteria throughout the project area are necessary to adequately protect the environment. Our detailed comments are enclosed.

We understand that the DEIS is programmatic, addressing environmental consequences that are correspondingly broad in scope. It is therefore critical that subsequent actions be adequately addressed in tiered NEPA documents. We urge BLM to explicitly commit to tiered NEPA evaluations in their Record of Decision. Clear guidance on the level of NEPA analysis for specific types of tiered actions would be useful.

Given the geographical extent and significant implications of the proposed management framework, it is critical that Federal, State, and local agencies and the public be given ample opportunity to evaluate and discuss the final decision as stated in the Final EIS (FEIS). Therefore, we strongly recommend that the BLM issue the FEIS for a minimum of 30 days prior to issuing a signed Record of Decision (ROD).

We appreciate the opportunity to review the DEIS. Please send us two copies of the Final EIS at the same time it is officially filed with HQ EPA. If you have any questions, please call me at (415) 744-1584, or Laura Fujii, of my staff, at (415) 744-1579.

Sincerely,



David Farrel, Chief
Federal Activities Office

Enclosure: Detailed Comments, 3 pages
EPA Rating Summary
EO on Environmental Justice

Filename: ranges&g.dei
MI002656

cc: US Fish and Wildlife Service
US Forest Service
National Marine Fisheries Service
California SWRCB
California Native Plant Society

Alternatives

Given the critical need for immediate action to improve rangeland health, EPA believes the selected alternative should ensure consistent and aggressive management actions throughout the project area. While we support an aggressive management approach to identified problems, we recognize the significant limitations and constraints regarding staffing and funding. Thus, we strongly recommend BLM consider an alternative which combines critical components of Alternative 1, 2, and 4. For example, the selected alternative should provide state-wide consistency, integrate the commendable work and recommendations of the RACs (e.g. preambles and selected S&Gs such as utilization guidelines), and incorporate some of the more specific and aggressive S&Gs of Alternative 4; especially for water quality, riparian, and wetland habitats.

Monitoring

Monitoring and evaluation of habitat trends is a critical component of a successful rangeland management system. To ensure consistent and clear direction for on-the-ground implementation and monitoring, EPA strongly recommends guidance be provided to the field on how to adequately integrate and link the historical Allotment Priority Categorization system (I,M,C, U designations), the new S&Gs, and the rangeland health requirements.

Cumulative Impacts

The National Environmental Policy Act specifically states that the EIS should include discussions of the direct, indirect, and cumulative effects which are caused by the action [40 CFR Section 1502.16]. Cumulative impact is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions [40 CFR Section 1508.7]. We note that the DEIS has failed to fully evaluate cumulative impacts. It is our understanding that BLM is aware of this oversight and will include such an evaluation in the FEIS. To ensure an adequate cumulative impact evaluation, we recommend BLM take a big picture, regional, and landscape approach which considers probable cumulative impacts and ecosystem trends of public (e.g., US Forest Service) and private rangeland management systems, recreation, mining, and other land management activities (e.g., residential development, fish and wildlife restoration efforts, Comprehensive Resource Management Plans, Biodiversity Council actions, PACFISH, NW Forest Plan). It is understood that such an approach is necessarily broad and will not be able to provide a

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. section 4321 et seq. Mitigation measures outlined or analyzed in an environmental assessment, environmental impact statement, or record of decision, whenever feasible, should address significant and adverse environmental effects of proposed Federal actions on minority communities and low-income communities.

Each Federal agency shall provide opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving the accessibility of meetings, crucial documents, and notices.

The Environmental Protection Agency, when reviewing environmental effects of proposed action of other Federal agencies under section 309 of the Clean Air Act, 42 U.S.C. section 7509, shall ensure that the involved agency has fully analyzed environmental effects on minority communities and low-income communities, including human health, social, and economic effects.

Each Federal agency shall ensure that the public, including minority communities and low-income communities, has adequate access to public information relating to human health or environmental planning, regulations, and enforcement when required under the Freedom of Information Act, 5 U.S.C. section 552, the Sunshine Act, 5 U.S.C. section 552b, and the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11044.

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This memorandum is intended only to improve the internal management of the Executive Branch and is not intended to, nor does it create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

William D. Clement